

REMARKS

Claims

Claims 27 through 42 were pending in the application prior to this amendment.

Claims 27 through 42 were rejected.

Previously presented claims 27 through 33 have been cancelled in this present amendment.

With respect to claims 34 and 35, the examiner stated that it would be obvious to one with ordinary skill in the art to modify the invention of Ponzi to include rotation for the purpose of increased flexibility to the system. Applicants submit that, in view of prior art made of record, it would not have been an obvious design choice to provide for rotation of the individual optical conduits within the support structure and/or catheter. Ponzi specifically discloses rotating the control handle to cause the catheter to rotate in a corresponding manner, as well as the use of pull wires to deflect the tip of the catheter. While Abela discloses providing rotation of the catheter or an inner catheter to provide greater flexibility in applying laser energy, neither Abela or Ponzi describe or disclose rotation of individual optical conduits within the support structure at the distal end for providing increased flexibility, and moreover for the purpose of enabling rotation of the optical conduits to image substantially the entire interior of the vessel in which the distal end is located. Thus, it would not have been obvious to provide optical conduits that are rotatable within the support structure at the distal end.

Furthermore, the mere fact that references can be combined or modified does not render the resultant combination obvious unless the prior art also suggests the desirability of the combination. MPEP 2143.01 Obviousness cannot be established by combining references without also providing evidence of the motivating force which would impel one skilled in the art to do what the applicants have done in claims 34 and 35 as amended. MPEP 2144

With respect to claims 36 through 38, these claims has been amended to depend from claim 35, which applicants believe to be allowable as currently amended to include optical conduit that are rotatable within the support structure within the catheter. Applicants submit that claims 36 through 38 as currently amended will be found in condition for allowance.

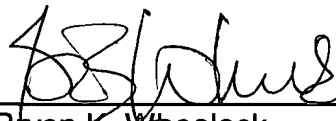
With respect to claim 39, this claim has been amended to include the limitation of the one or more magnetic members being rotatable within the interior of the catheter. Applicants submit that claim 39 as amended to include the unobvious design choice of rotatable magnetic members will be found in condition for allowance.

With respect to claims 40 through 42, these claims has been amended to depend from claim 39, which applicants believe to be allowable as amended to include magnetic members that are rotatable within the interior of the catheter. Applicants submit that claims 40 through 42 as currently amended will be found in condition for allowance.

Applicants believe that a full and complete response has been made to place the application in a condition for allowance, and respectfully request that a timely Notice of Allowance be issued in this case. If it will advance the prosecution of this application, the examiner is invited to call the undersigned at (314) 726-7500.

Respectfully submitted,

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